

## **REMARKS/ARGUMENTS**

Claims 91 - 110 are pending. Claims 91 - 110 are rejected. Claims 91, 96, and 101 are amended herein.

As discussed below, all of the claims are in condition for allowance. **But if after considering this response, the Examiner does not allow all of the claims, then the Applicant's agent formally requests that the Examiner contact him to schedule and conduct a telephone interview before issuing a subsequent office action.**

### **Rejection of claims 91-110 under 35 U.S.C. § 103(a) Over Lau et al. (U.S. Patent No. 6,772,212) In View Of Li et al. (U.S. Patent No. 6,345,279)**

#### **Claim 91**

Claim 91 is amended. Claim 91 recites, in part, an electronic device that “display[s] a graphical user interface that includes a hierarchical library tree that graphically depicts a music renderer node and a music item node,” and responsive to a GUI command “determines whether the format of the corresponding music track is compatible with the corresponding music renderer such that the music renderer can render music from the music track, [and] in response to a determination that the format is not compatible with the music renderer, reformats the music track to a format that is compatible with the music renderer and moves the reformatted music track to the music renderer; wherein moving the reformatted music track to the music renderer includes removing the reformatted music track from the storage medium of the device.”

Lau discloses a graphical user interface. Li discloses an approach to transcoding. However, Li approaches transcoding differently and with poorer storage efficiency compared to the recitation of claim 91.

Li discloses saving media files in an “InfoPyramid” 280, depicted in Li, FIG. 2. “The InfoPyramid 280 can be viewed as a generalization of multi-resolution representations. . . The InfoPyramid 280 is a data structure in which the multiple representations of a multimedia item can be organized into a pyramid-like structure, as illustrated in FIG. 2. The cells of the pyramid correspond to different representations of

the objects using different modalities . . . and fidelities such as in the range of full-resolution (bottom of pyramid) to low-resolution (top of pyramid).” [column 4, lines 50 to 66]

Li, FIG. 3 illustrates a flow chart showing adaptation of a multimedia document to a client device. “Content items 120 of a multimedia document 100 are transcoded (250) into multiple modality and fidelity versions to generate a set 340 of InfoPyramids 280.” [column 5, line 67 to column 6, line 2] “A content adaptation process 350 uses the client profile 310 to select from among the InfoPyramids 280 the versions 374 that best satisfy the particular client profile. These selected versions are rendered into a document 370 which is an adaptation (i.e., customization) of the original multimedia document 100. The client device receives the customized document 370.” [column 6, lines 42-48]

Li’s approach to saving multiple fidelities and multiple modalities of multimedia objects apparently results in redundant storage of similar objects at different fidelities. This is counter to a stated embodiment of the present application “the system should automatically transform the music from its form at the source to a format which is required by the destination.” [page 2, lines 19-21]

As the Examiner pointed out in her latest response, Li does disclose that “such transcoding processes can be done in a “lazy fashion”, i.e., the actual transcoding need not be performed, but rather, only a place holder for the transcoded version can be created and the meta-data filled in. The actual version is generated only if required.” [column 5, lines 22 – 26] Ignoring what Li might mean with respect to creating a “place holder” and filling in meta-data, Li apparently does not disclose ever moving data from the InfoPyramid. Li discloses copying data from the InfoPyramid, which does not include removing the copied data. At best, Li discloses delaying filling in all the data prior to copying the data to a rendering device. Thus, Li’s InfoPyramid has a disadvantage in consuming relatively large amounts of storage to maintain files at plural fidelities and modalities.

In contrast, the present application discloses that the user may “copy or move music items from the client computer 104 to one of the music renderers 126A-126N.” [page 11, lines 10 – 11] [emphasis added] As is known to those skilled in the art, copying a file includes creating a new version of the file while leaving the old version in

its original location. Conversely, moving a file includes removing the old version of the file. Claim 91 recites that the circuitry “moves the music track to the music renderer.” To clarify that the term “move” is used according to its conventional meaning, claim 91 has been amended to positively recite removal of the transcoded file from the computer.

Thus, the recital of claim 91 has an advantage over Li in providing music files to a plurality of different rendering devices potentially having different coding requirements, without the need for maintaining a plurality of different transcoded versions of a file in computer storage.

Accordingly, Lau and Li, alone and in combination, fail to disclose or reasonably suggest all the limitations of claim 91, and claim 91 is allowable over Lau and Li.

#### **Claims 92-95, 102-104**

Claims 92-95 and 102-104 are allowable by virtue of their dependence from claim 91, and for at least the reasons given for claim 91.

#### **Claim 96**

Claim 96 is amended. Claim 96 recites a method including, in part, “in response to a determination that the format is not compatible with the music renderer, transcoding the music track to a corresponding second music track having a format that is compatible with the music renderer, and moving the second music track to the music renderer.”

Claim 96 is allowable over Lau and Li for reasons similar to those given for claim 91. Namely, the combination of Lau and Li discloses first saving multimedia objects in an “InfoPyramid” that includes multiple fidelities and multiple modalities. Then, during a “content adaptation process” one of a plurality of cells from the InfoPyramid is selected for downloading to an end device.

Li apparently does not disclose ever moving data from the InfoPyramid. Li discloses copying data from the InfoPyramid, which does not include removing the copied data. At best, Li discloses delaying filling in all the data prior to copying the data to a rendering device. This is different than the recitation of claim 96, wherein the music track is transcoded to a corresponding second music track, and the second music track is moved to a music renderer. [emphasis added]

Accordingly, Lau and Li, alone and in combination, fail to disclose or reasonably suggest all the limitations of claim 96, and claim 96 is allowable over Lau and Li.

**Claims 97-100, 105-108**

Claims 97-100 and 105-108 are allowable by virtue of their dependence from claim 96 and for at least the reasons given for claim 96.

**Claim 101**

Claim 101 is amended. Claim 101 recites, in part, a computer-readable storage medium storing a program that, when executed by a computer, causes the computer to “in response to a determination that the format is not compatible with the music renderer, create a second transcoded music track having a format that is compatible with the music renderer; and move the second transcoded music track to the music renderer”

Claim 101 is allowable for reasons similar to those given for claims 91 and 96. Lau and Li, alone and in combination, fail to disclose or reasonably suggest all the limitations of claim 101, and claim 101 is allowable over Lau and Li.

**Claims 109-110**

Claims 109-110 are allowable by virtue of their dependence from claim 101 and for at least the reasons given for claim 101.

In the event additional fees are due as a result of this amendment, the Commissioner is hereby authorized to charge any deficiency of fees submitted herewith, or credit any overpayment, to Deposit Account No. 07-1897.

If the Examiner believes that a telephone interview would be helpful, he is respectfully requested to contact the Applicants' agent at (425) 455-5575.

Dated this 28<sup>th</sup> day of August, 2009.

Respectfully submitted,

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